

17 KAR 3:040. Admission to state veterans' nursing homes.

RELATES TO: KRS 40.320, 40.325, 38 U.S.C. 1745(a)

STATUTORY AUTHORITY: KRS 40.325(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 40.320 authorizes state veterans' nursing homes. KRS 40.325(2) authorizes the Department of Veterans' Affairs to promulgate any administrative regulations necessary to operate the homes in compliance with applicable state and federal statutes and regulations. This administrative regulation establishes the eligibility requirements and monthly charges for admission into state veterans' nursing homes.

Section 1. Eligibility Requirements. (1) Except as provided in subsection (2) of this section, to be admitted to a Kentucky Veterans' Center, the person shall:

- (a) Be a veteran;
- (b) Be disabled by reason of disease, wounds, age, or otherwise be in need of nursing care;
- (c) Be a Kentucky resident as of the date of admission to a Kentucky Veterans' Center; and
- (d) Have a military discharge that is not of a dishonorable nature.

(2) A person shall not be eligible for admission if the person:

(a) Has been diagnosed by a qualified health care professional as acutely mentally ill, as an acute alcoholic, as addicted to drugs, as continuously disruptive, or as dangerous to self or others;

(b) Is ventilator dependent; or

(c) Has needs that cannot be met by the Veterans' Center.

Section 2. Computation of Charges, Veteran Resident Resources. (1) Except as provided by subsection (4) of this section, each veteran shall contribute toward the cost of care based on the veteran's total resources and ability to pay in accordance with 17 KAR 3:020.

(2) The monthly charge for a Medicaid qualified resident shall be established by the Kentucky Department of Medicaid Services in accordance with 907 KAR 1:006.

(3) The monthly charge for a resident who does not disclose total resources shall be established in accordance with 17 KAR 3:020, Maximum charge for room and care at state veterans' nursing homes.

(4) If a veteran meets the requirements established in 38 U.S.C. 1745(a) for a service-connected disability, the veteran shall not be charged for room and care.

(5) The monthly charge for a Medicare recipient qualifying for skilled services shall be the applicable co-payments as established by the Centers for Medicare and Medicaid Services. (39 Ky.R. 1963; eff. 7-5-2013.)